

House File 645

H-1523

1 Amend the amendment, H-1505, to House File 645 as
2 follows:

3 1. Page 1, after line 13 by inserting:

4 <DIVISION

5 STATEWIDE PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD CHILDREN

6 Sec. _____. Section 237A.21, subsection 3, paragraph
7 p, Code 2011, is amended to read as follows:

8 p. One person who is part of a local program
9 implementing the ~~statewide~~ preschool program for
10 four-year-old children under chapter ~~256C~~ 256J.

11 Sec. _____. Section 237A.22, subsection 1, paragraph
12 f, Code 2011, is amended to read as follows:

13 f. Make recommendations for improving
14 collaborations between the child care programs
15 involving the department and programs supporting the
16 education and development of young children including
17 but not limited to the federal head start program, ~~the~~
18 ~~statewide preschool program for four-year-old children~~
19 and the early childhood, at-risk, and other early
20 education programs administered by the department of
21 education.

22 Sec. _____. Section 256.11, subsection 1, paragraph
23 c, Code 2011, is amended to read as follows:

24 c. For the purposes of this subsection,
25 "*prekindergarten program*" includes but is not limited
26 to a school district's implementation of the preschool
27 program established pursuant to chapter ~~256C~~ 256J.

28 Sec. _____. Section 257.16, subsection 1, Code 2011,
29 is amended to read as follows:

30 1. There is appropriated each year from the
31 general fund of the state an amount necessary to pay
32 the foundation aid under this chapter, ~~the preschool~~
33 ~~foundation aid under chapter 256C~~, supplementary
34 aid under section 257.4, subsection 2, and adjusted
35 additional property tax levy aid under section 257.15,
36 subsection 4.

37 Sec. _____. Section 272.2, subsection 18, Code 2011,
38 is amended to read as follows:

39 18. May adopt rules for practitioners who are not
40 eligible for a statement of professional recognition
41 under subsection 10, but have received a baccalaureate
42 degree and provide a service to students at any or all
43 levels from prekindergarten through grade twelve for
44 a school district, accredited nonpublic school, area
45 education agency, or preschool program established
46 pursuant to chapter ~~256C~~ 256J.

47 Sec. _____. Section 285.1, subsection 1, paragraph
48 a, subparagraph (3), Code 2011, is amended to read as
49 follows:

50 (3) Children attending prekindergarten programs

1 offered or sponsored by the district or nonpublic
2 school and approved by the department of education or
3 department of human services or children participating
4 in preschool in an approved local program under chapter
5 ~~256C~~ 256J may be provided transportation services.
6 However, transportation services provided to nonpublic
7 school children are not eligible for reimbursement
8 under this chapter.

9 Sec. _____. REPEAL. Chapter 256C, Code 2011, is
10 repealed.

11 Sec. _____. EFFECTIVE DATE AND APPLICABILITY. This
12 division of this Act takes effect July 1, 2011, and
13 applies to budget years beginning on or after July 1,
14 2011.

15 DIVISION ____

16 PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD CHILDREN

17 Sec. _____. NEW SECTION. 256J.1 Definitions.

18 As used in this chapter:

19 1. "*Department*" means the department of education.

20 2. "*Director*" means the director of the department
21 of education.

22 3. "*Eligible school district*" or "*school district*"
23 means a school corporation organized under chapter
24 274 that meets the requirements of section 256J.3,
25 subsection 4, and has been approved by the department
26 to implement preschool programs as provided in this
27 chapter.

28 4. "*High-quality preschool program*" means a
29 preschool program that meets the federal head start
30 program performance standards adopted pursuant to the
31 federal Improving Head Start for School Readiness
32 Act of 2007, Pub. L. No. 110-134, the Iowa quality
33 preschool program standards and criteria as determined
34 by the department in accordance with 281 IAC 16.3, and
35 the national association for the education of young
36 children program standards and accreditation criteria.

37 5. "*Preschool scholarship*" means the state funding
38 allocated to school districts to pay tuition for
39 eligible children enrolled in preschool programs
40 implemented pursuant to this chapter.

41 6. "*Private education partner*" means a private
42 preschool provider that may submit claims for
43 reimbursement to a school district for providing
44 high-quality preschool instruction to four-year-old
45 children receiving scholarships in accordance with this
46 chapter.

47 7. "*State board*" means the state board of
48 education.

49 Sec. _____. NEW SECTION. 256J.2 Preschool program
50 for four-year-old children — scholarships — purpose.

1 1. A preschool program for four-year-old children
2 is established in the department to provide an
3 opportunity for all eligible children, including
4 economically disadvantaged children, to enter
5 school ready to learn. The purpose of the preschool
6 scholarship program shall be to provide scholarships
7 to pay for eligible four-year-old children to attend
8 high-quality preschool provided by school districts or
9 private education partners.

10 2. The state board shall adopt rules pursuant
11 to chapter 17A, and may adopt emergency rules under
12 section 17A.4, subsection 3, and section 17A.5,
13 subsection 2, paragraph "b", as necessary to implement
14 this chapter.

15 Sec. ____ NEW SECTION. 256J.3 Preschool program
16 requirements.

17 1. *Eligible children.* A child who is a resident of
18 Iowa and is four years of age on or before September 15
19 of a school year is eligible to enroll, based on order
20 of registration, in a preschool program implemented
21 pursuant to this chapter and may be eligible for a
22 preschool scholarship based upon the most current
23 sliding tuition scale determined and published by the
24 department in accordance with subsection 5. A school
25 district approved to participate in the preschool
26 program pursuant to this chapter may enroll a younger
27 child or an older child in the preschool program if
28 space is available; however, the child shall not be
29 counted in the preschool enrollment count for preschool
30 scholarship funding purposes under section 256J.5.

31 a. A family may choose to enroll the family's
32 four-year-old child in an approved school district
33 preschool program or a preschool program implemented by
34 a private education partner. Families shall complete
35 all enrollment requirements, including but not limited
36 to income verification.

37 b. A school district or a private education partner
38 may charge tuition for children participating in
39 the preschool program, but shall not charge more for
40 tuition than the amount determined and published by the
41 department. All families enrolling eligible children
42 are required to pay tuition based on income and the
43 most current sliding tuition scale determined and
44 published by the department.

45 2. *Teacher requirements.*

46 a. An individual serving as a preschool teacher
47 in the preschool program for four-year-old children
48 shall be employed by or under contract with the
49 approved school district or by a private education
50 partner located within the approved school district's

1 boundaries and shall meet one of the following
2 qualifications:

3 (1) The individual is appropriately licensed under
4 chapter 272 and meets the requirements of chapter 284.

5 (2) The individual possesses, or is working toward
6 obtaining within two years of starting employment under
7 this subsection, an early childhood certificate of
8 eligibility issued under chapter 272, and meets either
9 of the following conditions:

10 (a) Holds a bachelor's or graduate degree from an
11 accredited college or university.

12 (b) Holds an associate of arts degree and is
13 working toward obtaining a bachelor's degree within
14 three years. This subparagraph division (b) is
15 repealed August 31, 2014.

16 b. A preschool teacher in an approved preschool
17 program shall collaborate with other agencies,
18 organizations, and boards in the community to further
19 the program's capacity to meet the diverse needs of the
20 children enrolled in the program and the families of
21 the children, such as needs for early care, health, and
22 human services. In addition, the approved preschool
23 program shall work to maintain relationships with
24 each child's family in order to enhance the child's
25 development in all settings by collaborating with
26 providers of parent education and family support
27 opportunities.

28 3. *Program requirements — program approval.* The
29 state board shall adopt rules to further define the
30 following preschool program requirements, which shall
31 be used to determine whether or not a local program
32 implemented by a school district or private education
33 partner qualifies for approval to implement a preschool
34 program:

35 a. Maximum and minimum teacher-to-child ratios and
36 class sizes.

37 b. Applicable state and federal program standards,
38 including but not limited to the federal head start
39 program performance standards adopted pursuant to the
40 federal Improving Head Start for School Readiness
41 Act of 2007, Pub. L. No. 110-134, the Iowa quality
42 preschool program standards and criteria as determined
43 by the department in accordance with 281 IAC 16.3, and
44 the national association for the education of young
45 children program standards and accreditation criteria.

46 c. Student learning standards.

47 d. Applicable comprehensive statewide child
48 assessment determined by the department.

49 e. Provisions for the integration of children from
50 other state and federally funded preschools.

1 *f.* Collaboration with participating families, early
2 care providers, and community partners including but
3 not limited to early childhood Iowa area boards, head
4 start programs, shared visions, licensed child care
5 centers, registered child development homes, early
6 childhood special education programs, services funded
7 by Tit. I of the federal Elementary and Secondary
8 Education Act of 1965, and family support programs.

9 *g.* A minimum of ten hours per week, thirty-four
10 weeks per year, of instruction delivered on the
11 skills and knowledge included in the student learning
12 standards developed for the preschool program.

13 *h.* Family involvement in the preschool program.

14 *i.* Provision for ensuring that children receiving
15 care from other child care arrangements can participate
16 in the preschool program with minimal disruption due to
17 transportation and movement from one site to another.

18 4. *School district requirements.* The state board
19 shall adopt rules to further define the following
20 requirements for school districts implementing a
21 preschool program pursuant to this chapter:

22 *a.* Collect documentation of school district and
23 private education partner readiness to meet program
24 requirements. The school district shall submit
25 documentation to the department that demonstrates that
26 the school district contacted all known potential
27 private education partners within the school district,
28 including but not limited to, and only as applicable,
29 accredited nonpublic schools and faith-based
30 preschools, the early childhood Iowa area board, the
31 federal head start program, shared visions and other
32 programs provided under the auspices of the child
33 development coordinating council, and center-based
34 providers of child care services.

35 *b.* Collaborate with all approved high-quality
36 preschool program sites in the district to better serve
37 children enrolled in the preschool program in the
38 following ways:

39 (1) Extending the day, for children eligible for
40 preschool scholarships, through other state funding
41 and federal funding, including but not limited to
42 funding available through early childhood Iowa area
43 boards, federal head start programs, shared visions
44 and other programs provided under the auspices of the
45 child development coordinating council, licensed child
46 care centers, registered child development homes, early
47 childhood special education programs, services funded
48 by Tit. I of the federal Elementary and Secondary
49 Education Act of 1965, and family support programs.

50 (2) Promoting family involvement through family

1 support programs as well as district programs.
2 c. Participate in data collection and performance
3 measurement processes and reporting, including
4 reporting fall and spring applicable comprehensive
5 statewide child assessment data as specified by the
6 department.
7 d. Identify eligible children through targeted
8 outreach to all families in partnership with the early
9 childhood Iowa area board.
10 e. Collect information regarding and verify
11 family income to implement the sliding tuition
12 scale determined and published by the department in
13 accordance with subsection 5.
14 f. Address professional development for school
15 district preschool teachers in the school district's
16 professional development plan implemented in accordance
17 with section 284.6.
18 g. Collaborate with private education partners
19 to provide a coordinated system of appropriate
20 professional development for preschool teachers and
21 staff employed in the preschool program.
22 h. Pay only those claims submitted by the school
23 district's private education partners which are
24 verified by the process set forth in section 279.29.
25 5. *Department requirements.* The department shall
26 do the following:
27 a. Implement an application and approval process
28 for school district participation in the preschool
29 program that includes but is not limited to the
30 enrollment requirements provided under subsection 1.
31 b. Track the progress of all children served by
32 a school district preschool program and by the school
33 district's private education partners and track the
34 children's performance in elementary and secondary
35 education.
36 c. Implement procedures to monitor the quality of
37 the programming provided under the preschool program
38 at all school district and private education partner
39 sites.
40 d. Determine a statewide comprehensive child
41 assessment to measure child outcomes for all children
42 participating in the preschool program at school
43 districts and private education partner sites.
44 e. Submit an annual report to the governor, the
45 general assembly, the early childhood Iowa state board,
46 and the child development coordinating council.
47 (1) The early childhood Iowa state board and the
48 child development coordinating council shall advise
49 the department regarding collaboration of high-quality
50 preschool programs for eligible children.

1 (2) The early childhood Iowa state board shall
2 promote the preschool program in local communities to
3 increase family awareness of quality preschool programs
4 and scholarship opportunities.

5 (3) The early childhood Iowa area boards shall
6 collaborate with school districts and their private
7 education partners to strengthen preschool quality.

8 f. Develop a statewide list of approved school
9 district and private education partner preschool
10 programs and publish the list on its website. The list
11 shall include information about preschool scholarships
12 and the sliding tuition scale in addition to other
13 information for families.

14 g. Develop and review annually a sliding tuition
15 scale for purposes of granting preschool program
16 scholarships to families whose incomes are at or below
17 three hundred percent of the federal poverty level as
18 defined by the most recently revised poverty income
19 guidelines published by the United States department of
20 health and human services.

21 6. *Private education partner — religious*
22 *expression.* An approved high-quality preschool
23 program offered by a religious entity or organization
24 shall not be prohibited from the free exercise of
25 religion during the program's hours of instruction if
26 the program meets the program requirements established
27 pursuant to this section.

28 Sec. _____. NEW SECTION. 256J.4 Funding provisions
29 — enrollment.

30 1. *General.*

31 a. State funding provided for preschool
32 scholarships shall be allocated to school districts for
33 each school year based upon the amount appropriated and
34 the funding formula set forth in section 256J.5.

35 b. Except as otherwise provided in chapter 298A,
36 a school district approved to participate in the
37 preschool program may authorize expenditures for the
38 school district's preschool programming from any of
39 the revenue sources available to the district from
40 the sources listed in chapter 298A, provided the
41 expenditures are within the uses permitted for the
42 revenue source. In addition, the use of the revenue
43 source for preschool programming must have been
44 approved prior to any expenditure from the revenue
45 source for the school district's preschool program.

46 c. Funding provided for the preschool program
47 pursuant to this chapter is intended to supplement,
48 not supplant, existing public funding for preschool
49 programming.

50 d. Preschool scholarship funding shall not be

1 commingled with the other state aid payments made
2 under section 257.16 to a school district and shall be
3 accounted for by the school district separately from
4 the other state aid payments. Preschool scholarship
5 payments made to school districts are miscellaneous
6 income for purposes of chapter 257. A school district
7 shall maintain a separate listing within its budget
8 for preschool scholarship payments received and
9 expenditures made. A school district shall certify
10 to the department that preschool scholarship funding
11 received by the school district was used to supplement,
12 not supplant, moneys otherwise received and used by the
13 school district for preschool programming.

14 e. Preschool scholarship funding shall not be used
15 for the costs of constructing a facility in connection
16 with a school district or private education partner
17 preschool program.

18 f. Preschool scholarship funding received by a
19 school district or private education partner may be
20 used in conjunction with funding from family-paid
21 tuition to support the school district or private
22 education partner in providing the preschool program.
23 Not more than five percent of the scholarship funding
24 received annually by a school district shall be used
25 for the costs of supervising the program.

26 2. *Eligible student enrollment.*

27 a. To be included as an eligible student in the
28 preschool enrollment count by a school district, a
29 child shall meet the requirements of section 256J.3,
30 subsection 1, and shall be enrolled in and attending a
31 preschool program implemented by a school district or a
32 school district's private education partner.

33 b. The enrollment count for the preschool program
34 shall include all eligible children who are enrolled
35 in and attending a preschool program implemented by
36 a school district and the school district's private
37 education partners shall be collected by the school
38 district on the date prescribed in section 257.6 and
39 shall be certified to the department by the school
40 district by October 15.

41 Sec. _____. NEW SECTION. 256J.5 State funding
42 allocation — expenditure limitation.

43 1. *State funding.*

44 a. *Allocation formula.* For each fiscal year in
45 which moneys are appropriated by the general assembly
46 for purposes of the preschool program for four-year-old
47 children, preschool scholarship funding shall be
48 allocated to approved school districts on a per pupil
49 basis calculated on the proportion that the number of
50 the approved school district's first grade children who

1 are eligible for free or reduced price meals under the
2 federal Healthy, Hungry-Free Kids Act of 2010, Pub. L.
3 No. 111-296, multiplied by the average of the previous
4 three years of certified kindergarten enrollment, bears
5 to the sum of the number of first grade children in
6 all approved school districts who are eligible for
7 free or reduced price meals under the federal Healthy,
8 Hungry-Free Kids Act of 2010, Pub. L. No. 111-296,
9 multiplied by the average of the previous three years
10 of certified kindergarten enrollment in all approved
11 school districts in the state for the base year.

12 *b. Redistribution of state funding.* Based on
13 the October 1 certified preschool enrollment count
14 determined pursuant to section 256J.4, subsection 2,
15 the department shall evaluate the needs of approved
16 school districts and approved private education
17 partners and shall take action to redistribute unused
18 state funding as appropriate.

19 *c. Limited purpose.* State funds provided for
20 purposes of this chapter shall not be expended for
21 any purpose not expressly authorized in this chapter
22 or in administrative rules adopted to administer this
23 chapter.

24 *2. Program sites — conditional allocation.* A
25 school district shall not receive preschool scholarship
26 funding without school district or private education
27 partner preschool program sites.

28 *3. Program continuation subject to approval.* For
29 subsequent budget years, continuation of a school
30 district's participation in the preschool program is
31 subject to the approval of the department based upon
32 the school district's compliance with accountability
33 provisions and the department's on-site review of the
34 school district's implementation of the preschool
35 program.

36 *4. Insufficient funding.* If the amount appropriated
37 annually for purposes of this section is not
38 sufficient to pay the total allocation to approved
39 school districts, the allocation shall be based on
40 the proportion that the total allocation for each
41 approved school district bears to the sum of the total
42 allocations to all approved school districts.

43 *5. Payments to private education*
44 *partners.* Reimbursements shall be provided to private
45 education partners by approved school districts on a
46 monthly basis, beginning with the month in which the
47 school district receives payment under subsection 1,
48 paragraph "a", and ending in July, upon submission and
49 verification of actual instructional costs incurred
50 in the school year.

1 6. *Department administration and oversight.* Except
2 as otherwise provided by law for a fiscal year,
3 of the amount appropriated by the general assembly
4 for a fiscal year for purposes of this chapter, the
5 department may use an amount sufficient to fund up
6 to four full-time equivalent positions which shall
7 be in addition to the number of positions authorized
8 for the department for the fiscal year to provide
9 administration and oversight of the preschool program.
10 Oversight shall include but not be limited to data
11 collection requirements, maintenance of website
12 listings of school district and private education
13 partners providing high-quality preschool programs, and
14 assessment results.

15 7. *Open enrollment not applicable.* Section 282.18
16 shall not apply to preschool programs implemented under
17 this chapter. However, approved programs shall be open
18 to all eligible Iowa children, regardless of a child's
19 district of residence.

20 8. *Participation in preschool not good*
21 *cause.* Participation by a child in an approved
22 preschool program under this chapter does not qualify
23 as "*good cause*", as defined in section 282.18,
24 subsection 4, paragraph "b", for purposes of claiming
25 continuous enrollment in a school district other than
26 the district of residence.

27 Sec. _____. Section 272.2, Code 2011, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 19. Adopt rules establishing
30 an early childhood certificate of eligibility for
31 individuals who meet the requirements of section
32 256J.3, subsection 2, paragraph "a", subparagraph
33 (2), for preschool teachers. The rules for obtaining
34 such a certificate shall require that an applicant
35 successfully complete twelve hours of coursework from
36 an accredited institution of higher education in early
37 childhood education, child development, elementary
38 education, or early childhood special education, and
39 this coursework shall encompass child development and
40 learning of children from birth through kindergarten;
41 family and community relationships; observing,
42 documenting, and assessing young children; teaching and
43 learning; and professional practices and development.>

44 2. Page 12, after line 44 by inserting:

45 <_____. Title page, line 5, after <atters> by
46 inserting <and for effective date and applicability
47 provisions>>

DOLECHECK of Ringgold